IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION NO. 153 (SS) OF 2005

Ram Singh Panwar,
S/o Sri Chandan Singh Panwar,
R/o Village Hatnali,
Post Office-Bangaon, Tehsil- Dunda,
District-Uttarkashi. .....Petitioner.

Versus

1. State of Uttaranchal,
through Secretary, Uttaranchal Education & Examination Board, Ramnagar, Nainital.
2. Principal, District Education & Training Institution Barkot, District Uttarkashi. .....Respondents.

Mr. H.M. Raturi, Advocate for the petitioner.
Learned Standing Counsel for the respondents.

Dated: 05.05.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of certiorari quashing the order-dated 24.01.2005 passed by the respondent no. 1 and respondent no. 2. Further prayer has been made for a writ of mandamus commanding the respondents to declare the result of the petitioner forthwith and to supply the copy of their marksheet accordingly, and to treat the petitioner as equivalent to other special B.T.C. Trained Teachers.

2. Briefly stated, the petitioner is the original resident of District Uttarkashi, who in pursuance of the advertisement issued by the Principal District Education and Training

Institute Barkot applied for special B.T.C. for the session 2002-2003.

2. Prior to it, the petitioner has filed a separate writ petition for getting him admitted in Special B.T.C. before this High Court and the High Court directed the authority concerned to consider the candidature of the petitioner.

3. In pursuance of the order passed by this Court, the candidature of the petitioner was considered by the respondents and the petitioner completed the Special B.T.C. from District Education & Training Institute Barkot. After completion of the training, petitioner appeared in final examination of special B.T.C. but the result of the petitioner was not declared.

4. The petitioner enquired into the matter on 24.01.2005 from the Principal District Education & Training Institute, Barkot, and he came to know that the Secretary Uttaranchal Education & Examination Board Ramnagar has directed the principal not to declare the result of the petitioner.

5. Petitioner has submitted that from the letter dated 24.01.2005 issued by the respondent no. 2 it appears that the Principal had been directed to issue a provisional mark-sheet, but instead of issuing the same, the result of the petitioner was declared.

6. In the present writ petition, following interim order was passed on 16.02.2005:-

"Heard Sri. H.M. Raturi, learned counsel for the petitioner and learned Standing Counsel, who has accepted notices on behalf of the respondents.

By means of this writ petition, petitioner ha sprayed to issue a writ in the nature of Certiorari quashing the order dated 24.01.2005 passed by respondent no. 1.

By order of this court the candidature of petitioner for special BTC has been considered by the respondents.

Learned counsel for the petitioner has submitted that result of the Special BTC Examination has been declared but the result of the petitioner has not been declared.

Since the petitioner has already completed the training. Respondents are directed to declare the result of the petitioners, provisionally, provided petitioner has completed their training successfully and if they are selected for appointment to the post of Assistant Teacher ion Primary School shall be subject to the decision of the writ petition.

List this matter in the first week of March, 2005 along with Writ petition No. 708 (SB) of 2002.".

7. As will appear from the aforesaid interim order, that this Court has already directed that the result may be declared provided the petitioner has completed training successfully and he has been selected for post of Assistant Teacher in Primary School.

9. Subject to the aforesaid directions given in the order dated 16.02.2005, writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

05.05.2006

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